

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KELLY CARROLL, ET AL.,
Plaintiffs,
v.
WELLS FARGO & COMPANY, et al.,
Defendants.

Case No. [3:15-cv-02321-EMC](#) (KAW)

**ORDER DENYING PLAINTIFFS' 4/4/17
ADMINISTRATIVE MOTION FOR
LEAVE TO FURTHER SUPPLEMENT
THE RECORD**

Re: Dkt. No. 205

On March 16, 2017, the Court held a hearing on Non-Party Carrie Tolstedt's motion to quash the deposition subpoena. On April 4, 2017, Plaintiffs filed a second administrative motion seeking leave to file supplemental materials in support of their opposition to the motion to quash. (Pls.' Mot., Dkt. No. 200.) Specifically, Plaintiffs seek leave to submit the deposition transcript of named plaintiff Antonio Ponce in support of their opposition to the motion to quash, because Mr. Ponce testified that, as a service-side employee, he had to work late to meet his sales goals. (Pls.' Mot., Dkt. No. 205 at 1-2.)

On April 7, 2017, Non-Party Carrie Tolstedt filed an opposition requesting that the Court deny the administrative motion on the grounds that the deposition testimony was self-serving and that "[t]he introduction of additional evidence regarding that issue, weeks after the Motion to Quash has been fully briefed and argued, is unwarranted and procedurally improper." (Tolstedt Opp'n, Dkt. No. 209 at 1.) The Court agrees.

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The Court will decide the pending motion to quash based on the current briefing and oral argument, and Plaintiffs are asked to refrain from further unnecessary motion practice regarding the pending motion.

IT IS SO ORDERED.

Dated: April 10, 2017


KANDIS A. WESTMORE
United States Magistrate Judge